

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONTE MCCLELLON,

Defendant.

CASE NO. 2:22-CR-00073-LK

ORDER GRANTING UNOPPOSED  
MOTION TO SEAL


This matter comes before the Court on Defendant Donte McClellon's motion to seal his medical records filed in conjunction with his sentencing memorandum. Dkt. No. 292; Dkt. No. 293 (sealed records). The Government has not responded to the motion.

"Historically, courts have recognized a 'general right to inspect and copy public records and documents, including judicial records and documents.'" *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978)). District courts therefore "start with a strong presumption in favor of access to court records." *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). Despite the public's right to access documents in criminal proceedings, a document may

1 remain under seal when (1) sealing a document serves a compelling interest (2) that is substantially  
2 likely to be harmed if the document is not sealed and (3) there are no less restrictive alternatives  
3 for protecting the interest. *See United States v. Parson*, No. 3:15-cr-05262-DGE, 2022 WL  
4 558221, at \*2 (W.D. Wash. Feb. 24, 2022) (citing *United States v. Doe*, 870 F.3d 991, 998 (9th  
5 Cir. 2017)).

6 The records that Mr. McClellon seeks to seal contain his sensitive medical information.  
7 Dkt. No. 293. Protecting Mr. McClellon's medical privacy serves a compelling interest that would  
8 be harmed by public disclosure. *See, e.g., Cont'l Med. Transp. LLC v. Health Care Serv. Corp.*,  
9 No. C20-0115-JCC, 2021 WL 2072524, at \*4 (W.D. Wash. May 24, 2021) (sealing medical  
10 records); *Parson*, 2022 WL 558221, at \*3 (finding compelling reasons to seal medical records to  
11 protect the defendant's privacy). There is no less restrictive means of protecting Mr. McClellon's  
12 privacy. Therefore, the Court GRANTS the motion to seal, Dkt. No. 292, and the medical records,  
13 Dkt. No. 293, may remain under seal.

14 Dated this 31st day of May, 2024.

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Lauren King  
17 United States District Judge  
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